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March 22, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte* disclosure pursuant to 47 CFR § 1.1206(b) in CC Docket No. 96-128

Dear Ms. Dortch:

On March 20, 2012, Commissioner Clyburn and her advisor, Angela Kronenberg, met with a large group of advocates to discuss the predatory pricing of telephone calls to and from incarcerated people. The list of meeting attendees is appended to this letter. The advocates urged prompt action on the consideration of the *Wright* petition.

Ms. Leanza welcomed the Commissioner and expressed her strong gratitude for the Commissioner's impassioned efforts to represent those for whom reform would make the most difference. Nick Szuberla of Thousand Kites opened the meeting by playing several audio recordings from family members who had direct experience with the extremely high rates of telephone calls to and from prisons. One caller explained how her son's chance of compiling a successful parole package was jeopardized, because few friends or family members could afford the cost of calls to prison and thus lacked the ability to keep in touch with him. Other callers described rates of \$25 per hour, and telephone calls charged in 15-minute increments. Several callers were elderly and living on fixed incomes, while others described how charges of \$40-\$50 per month—on top of their regular telephone bills—amounted to an extreme hardship.

Mr. Paul Wright of Prison Legal News outlined the factual history and the perverse situation presently driving telephone costs to and from prison. He explained that prisons did not allow telephone calls until the 1970s, but that in the 1980s, telephone companies began to offer commissions to prisons in exchange for exclusive contracts. He noted that while competition has driven down the costs of telephone calls for the rest of the country, prison telephone rates have skyrocketed. He described the traumatic impact on families, and in particular the three million children whose parents are incarcerated and have few alternatives for communication besides the telephone. He noted that the extreme distances between families who often live in large population centers and the rural and remote location of prisons mean that a telephone call is the only real means of remaining in touch. These high costs result in a short-term gain for prison budgets at a long-term cost for society in

terms of recidivism. He emphasized in the strongest possible terms the immorality of monetizing the communications between families and their vulnerable loved ones.

Ms. Kay Perry, leader of CURE's national Equitable Telephone Charges Campaign, also spoke. She emphasized the extremely long time that CURE has been working on this issue, and the long period of time that its petition on behalf of Martha Wright has been pending. She said almost any person who becomes educated about these practices immediately sees the immorality of the situation. Ms. Perry explained that new abuses have started to emerge, which include charging families to deposit money into prepaid accounts and exploiting new loopholes that enable the charging of service fees, as is the case in her home state of Michigan. She stressed the extremely long time that families have been waiting for reform and the need for urgent action.

Ms. Deborah Golden of the Washington Lawyers' Committee for Civil Rights & Urban Affairs, DC Prisoners' Project, noted that while we speak generally of the *Wright* petition, Martha Wright is a real person, who is elderly and blind, and lives on a fixed income. She wants only to keep in touch with her grandson, but often must make a choice between purchasing the medication she needs and paying her telephone bill. Ms. Golden urged the Commission to act while Ms. Wright is still alive to see the result.

The groups present offered their help and assistance to Commissioner Clyburn and her staff and urged her to take a strong stand on this issue.

Sincerely,



Cheryl A. Leanza

ATTENDEES

Prison Telephone Costs Meeting

Corrine Yu, The Leadership Conference
Cheryl Leanza, The Leadership Conference
amalia deloney, Center for Media Justice
Madura Wijewardena, National Urban League
Patric Taylor, National Urban League
Ben Lennett, New America Foundation
Leticia Miranda, New America Foundation
Sarah Morris, New America Foundation
Ernesto Falcon, Public Knowledge
Clarissa Ramon, Public Knowledge
Chance Williams, Free Press
Joe Torres, Free Press
Jessica Gonzalez, National Hispanic Media Coalition
Michael Scurato, National Hispanic Media Coalition
Qres Ephraim, Media and Democracy Coalition
Lisa Navarrete, National Council of La Raza
Parul Desai, Consumers Union
Hilary Shelton, NAACP
Lisa Bennett, NOW
Jason Lagria, Asian American Justice Center
Paul Wright, Prison Legal News
Nick Szuberla, Thousand Kites
Annette Dickerson, Center for Constitutional Rights
Kay Perry, CURE, National Coordinator, Equitable Telephone Charges (eTc) Campaign
Charlie and Pauline Sullivan, Citizens United for Rehabilitation of Errants (CURE)
Deborah Golden, Ivy Finkenstadt, and Phil Fornaci, Washington Lawyers' Committee for Civil Rights & Urban Affairs/DC Prisoner's Rights project
Lee Petro, Drinker Biddle, counsel for Martha Wright, *et. al*, and CURE
Charlie DeTar, Between the Bars